

## JUSTICE NEWS

### Department of Justice

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### **Department of Justice Releases Investigative Findings on the Puerto Rico Police Department**

WASHINGTON— Following a comprehensive investigation, the Justice Department today announced its findings that the Puerto Rico Police Department (PRPD) has engaged in a pattern and practice of misconduct that violates the Constitution and federal law. The investigation, launched in July 2008, was conducted in accordance with the Violent Crime Control and Law Enforcement Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968.

The Justice Department found reasonable cause to believe that a pattern and practice of unconstitutional conduct and/or violations of federal law occurred in several areas, including:

- Use of excessive force;
- Use of unreasonable force and other misconduct designed to suppress the exercise of protected First Amendment rights; and
- Unconstitutional stops, searches and arrests.

In addition to these findings, the investigation uncovered other serious concerns. In particular, the investigation uncovered troubling evidence that PRPD frequently fails to properly investigate and document sex crimes and incidents of domestic violence, and that PRPD engages in discriminatory policing practices that target individuals of Dominican descent. At this time, the division has not made a formal finding of a pattern and practice violation in these areas, in part because PRPD does not adequately collect data to evaluate these issues.

The Justice Department found a number of long-standing and entrenched systemic deficiencies that caused or contributed to these patterns of unlawful conduct, including:

- A failure of PRPD to implement policies to guide officers on lawful policing practices, including the application of force;
- Tactical units that have been permitted to develop violent subcultures;
- Insufficient pre-service and in-service training;
- Inadequate supervision;
- Ineffective systems of complaint intake, investigation and adjudication;
- An ineffective disciplinary system;
- Limited risk management; and
- A lack of external oversight and accountability.

“The Puerto Rico Police Department is broken in a number of critical ways. The problems are wide ranging and deeply rooted, and have created a crisis of confidence that makes it extremely difficult to develop police-community partnerships that are a cornerstone of effective policing,” said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. “Our findings should serve as a foundation to transform the police department and to help restore the community’s trust in fair, just and effective law enforcement. The problems within the PRPD have been present for many years and will take time to fix, but we look forward to continuing our work with the people of Puerto Rico, Governor Luis Fortuño, Superintendent Emilio Díaz Colón and his officers to create and implement a comprehensive blueprint for sustainable reform.”

The Justice Department’s thorough and independent investigation involved an in-depth review of PRPD practices, as well as extensive community engagement. Department attorneys and investigators conducted exhaustive interviews with command staff and rank-and-file officers at PRPD headquarters and 10 of PRPD’s 13 police areas; participated in ride-alongs with officers and supervisors; attended training courses at the police academy; and reviewed thousands of pages of documents. The division also met with and interviewed external stakeholders, including community members and local civil rights organizations.

Throughout the investigation, the division provided feedback and technical assistance to PRPD, and PRPD has taken a number of remedial measures. To create lasting reform, Puerto Rico must act decisively, transparently and immediately. PRPD must develop and implement new policies and protocols, and train its officers in effective and constitutional policing. In addition, PRPD must implement systems to ensure accountability, foster police-community partnerships, improve the quality of policing throughout the commonwealth and eliminate unlawful bias from all levels of policing decisions.

The department will seek to obtain a court enforceable agreement and will work with PRPD, the Commonwealth of Puerto Rico and the community to develop and implement a comprehensive reform plan with the judicial oversight needed to address the violations of the Constitution and federal law.

“The findings are an outgrowth of a transparent, inclusive process in which we heard critical feedback from police officers, community leaders, governmental officials and other key stakeholders. We will continue to actively engage all stakeholders in the process of developing and implementing a comprehensive blueprint for sustainable reform that will reduce crime, ensure respect for the Constitution and restore public confidence in the Puerto Rico Police Department,” continued Assistant Attorney General Perez.

This investigation was conducted by the Special Litigation Section of the Civil Rights Division with the assistance of law enforcement professionals, including former police chiefs and supervisors who provided in-depth knowledge and expertise.

The executive summary and full report can be found at [www.justice.gov/crt/about/spl/pr.php](http://www.justice.gov/crt/about/spl/pr.php) . For more information on the Justice Department’s Civil Rights Division, please visit [www.justice.gov/crt](http://www.justice.gov/crt) . If you have any comments or concerns, please feel free to contact us at [community.prpd@usdoj.gov](mailto:community.prpd@usdoj.gov)

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Civil Rights Division

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